

REMARKS/ARGUMENTS

Claims 1-23 are pending in the application. Concerning the drawings, please see the “Amendments to the Drawings” section above. In the Office Action, claims 1-23 were rejected under 35 U.S.C. 112, second paragraph as being incomplete for omitting essential structural cooperative relationships of elements. In addition, claim 8 was rejected in view of insufficient antecedent basis. Applicants are unsure of the blanket rejection of claims 1-23, and Applicants’ attorney left a voicemail with the Examiner on or around March 19, 2007, but the call was not returned. Applicants believe that the claims recite sufficient structural cooperative relationships and also believe that the replacement drawing sheets will assist the Examiner in concluding the same.

Applicants have also amended claim 8 in an attempt to clarify that the housing portion or the audio cover member include heat stake members. Applicants note that audio cover member is recited in claim 5 – which claim 8 depends from- and that housing portion is recited in claim 1 – which claim 5 depends from. Applicants request withdrawal of the 112 rejections or at least an explanation clarifying the rejections.

Also in the Office Action, claims 1-9 and 12-23 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,978,123 to Fuhrmann, et al. (Furhmann). Claims 10-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Furhmann.

Independent claim 1 has been amended by clarifying that the audio channel is a sound pressure pathway that exits a top or a side of the electronic communication device in which the top or side of the electronic communication device are substantially perpendicular to the outer surface. Independent claims 13 and 19 have been similarly amended. Support for the amendments can be found in FIG. 3 and in paragraphs 0025-0027. No new matter has been added in view of the amendments. Furhmann simply does not mention anything about such a feature, as Furhmann only describes a speaker outlet that is positioned on a main face of a housing of an electronic device (see FIGs. 1-3).

In view of the above, Applicants submit that the above claims are now patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: March 26, 2007

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department – MD 1610
8000 W. Sunrise Blvd.
Plantation, FL 33322

Customer Number: 24273

By: /Larry G. Brown/
Larry G. Brown

Attorney of Record
Reg. No.: 45,834

Tel: 954-723-4295 direct line
Tel: 954-723-6449 main line
Fax No.: (954) 723-3871